

## UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

Thurgood Marshall U.S. Courthouse 40 Foley Square, New York, NY 10007 Telephone: 212-857-8500

## MOTION INFORMATION STATEMENT

Docket Number(s): \_\_\_\_\_ Caption [use short title] \_\_\_\_\_

Motion for: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Set forth below precise, complete statement of relief sought:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

MOVING PARTY: \_\_\_\_\_ OPPOSING PARTY: \_\_\_\_\_

☐ Plaintiff☐ Defendant☐ Appellant/Petitioner☐ Appellee/Respondent

MOVING ATTORNEY: \_\_\_\_\_ OPPOSING ATTORNEY: \_\_\_\_\_

[name of attorney, with firm, address, phone number and e-mail]

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Court-Judge/Agency appealed from: \_\_\_\_\_

## Please check appropriate boxes:

Has movant notified opposing counsel (required by Local Rule 27.1):

☐ Yes ☐ No (explain): \_\_\_\_\_

Opposing counsel's position on motion:

☐ Unopposed ☐ Opposed ☐ Don't Know

Does opposing counsel intend to file a response:

☐ Yes ☐ No ☐ Don't KnowFOR EMERGENCY MOTIONS, MOTIONS FOR STAYS AND  
INJUNCTIONS PENDING APPEAL:

Has request for relief been made below?

☐ Yes ☐ No

Has this relief been previously sought in this Court?

☐ Yes ☐ No

Requested return date and explanation of emergency: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Is oral argument on motion requested?

☐ Yes ☐ No (requests for oral argument will not necessarily be granted)

Has argument date of appeal been set?

☐ Yes ☐ No If yes, enter date: \_\_\_\_\_

Signature of Moving Attorney: \_\_\_\_\_

Date: \_\_\_\_\_

Service by: ☐ CM/ECF ☐ Other [Attach proof of service]

**UNITED STATES COURT OF APPEALS  
FOR THE SECOND CIRCUIT**

---

In re Advanced Battery Technologies,  
Inc. Securities Litigation

---

Docket No. 14-1410

**MOTION FOR EXTENSION OF TIME TO FILE BRIEF**

Plaintiff-Appellant Ruble Sanderson (“Plaintiff”) hereby respectfully requests a two-week extension of the current briefing schedule. In support thereof, Plaintiff states the following:

1. On May 9, 2014, the Court placed this matter on its expedited calendar. (Dkt. No. 10.) Currently, Plaintiff’s principal brief is due on June 13, 2014, and Defendants’ principal briefs are due on July 18, 2014.

2. Counsel with primary responsibility for this appeal have a previously-instituted due date for a class certification motion on the same date as their principal brief in this case. Counsel cannot delegate the responsibility for either matter. Therefore, counsel requests a short two-week extension of the briefing schedule, which would cause Plaintiff’s principal brief to be due on June 27, 2014 and Defendants’ principal briefs to be due on August 1, 2014.

3. Opposing counsel do not oppose the proposed extension.

Wherefore, Plaintiff respectfully requests a two-week extension of the briefing schedule, or such other time as the Court may deem just and proper.

DATED: May 14, 2014

Respectfully submitted,

/s/ Murielle J. Steven Walsh

Murielle J. Steven Walsh

Star M. Tyner

POMERANTZ LLP

600 Third Avenue, 20<sup>th</sup> Floor

New York, New York 10016

Tel.: (212) 661-1100

Fax: (212) 661-8665

[mjsteven@pomlaw.com](mailto:mjsteven@pomlaw.com)

[smttyner@pomlaw.com](mailto:smttyner@pomlaw.com)

*Attorneys for Plaintiff-Appellant*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 14<sup>th</sup> day of May, 2014, the foregoing document was filed with the Clerk of the Court using the CM/ECF electronic filing system, which will notify all counsel of record of such filing electronically.

/s/ Murielle J. Steven Walsh

Murielle J. Steven Walsh  
Of Counsel